

OCT 03 2005

BLAKELY 1279 OAKMEAD PARKWAY
SOKOLOFF SUNNYVALE, CALIFORNIA 94085
TAYLOR & (408) 720-8300 (Telephone)
ZAFMAN (408) 720-8383 (Facsimile)

A LIMITED LIABILITY
PARTNERSHIP INCLUDING
LAW CORPORATIONS

FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)

Deliver to: Leubecker, John P.
Firm Name: U.S. PATENT AND TRADEMARK OFFICE
Fax Number: (571) 273-8300 Telephone No.: _____
From: Jordan M. Becker
Date: October 3, 2005 Time: _____
Operator: Harleen Bains Matter: 3772P028
Number of pages including cover sheet: 6
In Re Patent Application of: Erik F. D. Todd
Application No.: 10/677,416
Filed: October 1, 2003
For: Hand-Held Surgical Instrument with Illuminated Keypad

Enclosed are the following documents:

[X] Response to Restriction Requirement (5 pgs.)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:

Date of Transmission October 3, 2005

Harleen Bains

(Typed or printed name of person transmitting paper)

[Signature]

(Signature of person transmitting paper)

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman LLP that is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES, PLEASE CALL (408) 720-8300 AND ASK FOR THE OPERATOR NAMED ABOVE.

(Rev. 11/23/97)

OCT 03 2005

Attorney Docket No.: 3772P028

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Erik F. D. Todd

Serial No.: 10/677,416


Filing Date: 10/01/2003

For: HAND-HELD SURGICAL
INSTRUMENT WITH ILLUMINATED
KEYPAD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: Leubecker, John P.

Group Art Unit: 3739

<u>Certificate of Transmission</u>	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:	
October 3, 2005	
(Date of Transmission)	
Harleen Bains	
(Printed name)	
 (Signature)	October 3, 2005 (Date)

RESPONSE TO RESTRICTION REQUIREMENT

In the Office Action mailed on September 16, 2005, the Office identified the following species and required that Applicant elect a subspecies from each of species I and II:

- I. Species of instrument
 1. camera
 2. shaver
- II. Species of light source
 1. phosphorescent
 2. light emitting element

Claims 1, 13 and 14 were identified by the Office as generic, although Applicant believes that the Office meant to identify claim 24 as generic, not claim 14.